COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: September 21, 2011
FILE: FO2272432

OFFICE CORRESPONDENCE

FROM: JOSEPH S. HARTSHORNE, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: JOSEPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:
DEPUTY [redacted] #[redacted]
DEPUTY SAVADOR ROMERO #[redacted]
SOUTH LOS ANGELES STATION

On August 29, 2011, at approximately 2030 hrs, Deputy [redacted] responded code 3 to a "stolen vehicle just occurred" call in Lawndale. As he approached 152nd Street on northbound Inglewood Avenue, he saw a Black Chevy Tahoe that matched the description of the vehicle described in the call.

The vehicle turned southbound onto Inglewood Avenue from 152nd Street. Deputy [redacted] advised assisting units that he was "code 9" behind the suspect vehicle, following it onto the northbound 405 freeway.

After traveling approximately ¼ of a mile on the 405 freeway, the suspect vehicle merged toward the right shoulder emergency access lane. While the suspect vehicle was merging to the right shoulder, Deputy [redacted] observed that its hood was completely open. Deputy [redacted] stopped behind the vehicle. The driver of the vehicle, later identified as Suspect Palacios, exited the driver's side door and walked toward Deputy [redacted] patrol vehicle.

Deputy [redacted] ordered Suspect Palacios to stay inside of the suspect vehicle via his patrol vehicle's PA system. The suspect continued walking toward Deputy [redacted] patrol vehicle and turned to his left when he reached the back of the suspect vehicle and walked between both vehicles. He then ran down the east embankment of the freeway.

Deputy [redacted] exited his patrol vehicle and saw Deputy Salvador Romero stop behind him and exit his patrol vehicle. Deputy [redacted] pointed at Suspect Palacio and told Deputy Romero the suspect was running down the embankment. Both deputies chased the suspect and Deputy [redacted] advised they were in foot pursuit. Deputy Paz, Deputy Romero's partner, exited the vehicle and ran northbound along the freeway and down onto Marine Avenue. Deputy Paz thought the suspect was going to jump over the fence, so he went to contain the area.

When Deputy [redacted] reached the bottom of the embankment, Suspect Palacio was attempting to climb over a chain link -barbed wire fence. Deputy [redacted] ordered Suspect Palacio to get down off the fence. The suspect did not comply. Deputy [redacted] holstered his gun and pulled the suspect off the chain link fence. Deputy [redacted] then ordered the suspect , who landed on his feet, to put his hands behind his back. Instead, the suspect put his hands on the back of his head and dropped down to both of his knees.

As Deputy [redacted] handcuffed the suspect, the suspect pushed himself up to a standing position, pushed his back against Deputy [redacted] chest, and pulled his arm out of Deputy [redacted] grasp. Deputy [redacted] attempted to regain control of Suspect Palacios' left hand while still holding his right cuffed hand. Suspect Palacio attempted to hit Deputy [redacted] using his left elbow.

Deputy [redacted] pushed the suspect against the chain link fence and ordered him several times to get on the ground and stop fighting. The suspect did not comply. Deputy [redacted] struck the suspect four times on the left side of his face using his left fist in order to gain compliance. The suspect continued to fight, kicking Deputy [redacted] on his right thigh. Deputy [redacted] kicked the suspect on his inner thigh in an attempt to stop Suspect Palacios from kicking.

Within a few seconds, Deputy Romero reached the location of where Deputy [redacted] and Suspect Palacios were fighting. He struck the suspect three times on the right side of his face with his right fist and ordered him to stop fighting. The suspect continued to flail his arms and kept attempting to kick Deputy [redacted] Deputy Romero then struck the suspect twice on the left side of his face with his left fist. The deputies were able to gain control of Suspect Palacios' arms and handcuff him without further incident.

Deputy [redacted] arrived to assist and placed his hobble restraint around Suspect Palacios' ankles to prevent any further assault on deputies and to prevent him from kicking out the windows of the patrol vehicle.

Suspect Palacios was transported to Centinela Hospital Medical Center by Deputy Lim #[redacted] It was determined that Suspect Palacios sustained a hairline fracture of his Maxilla bone (upper jaw). He was treated and given an "Okay" to book. He was released from Centinela Hospital Medical Center on 08/20/10 and transported to South Los Angeles Station.

On May 26, 2011 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputies [redacted] and Savador Romero was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by both deputies in this incident were within Department Policy.

JSH:RSP/rsp

FO2272432

Table of Contents

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 910-08111-0331-091	Date: 8/19/10	Time: 2050	
Location: 15000 Hawthorne Boulevard		City or Station: Lawndale	
Bureau/Station/Facility: Field Operations Region II/South Los Angeles Station		Admin. Investigation: YES ☒ NO ☐	
Type of Force: Significant Force-Hairline Facial Fracture of the Maxilla Bone			
Deputy Injury: YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☒ Call	☐ Observation	☐ Detail	☒ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Sergeant David Bly	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name
Sex: [redacted] Male [redacted] Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: [redacted] EM [redacted] Day [redacted] PM	[redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty	Age: [redacted]	Height: [redacted] Weight: [redacted]
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E2

Employee # [redacted]	Last Name Salvador	First Name Romero	Middle Name
Sex: ☒ Male ☐ Female	Race: Hispanic	Unit of Assignment: South Los Angeles Station	Work Assignment (Unit #, Module, etc.): 30 W2
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5'8 Weight: 210
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Strickland	Mike		Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Duarte	Dennis	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Burson	Matthew	

Lieutenant Matthew Burson
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

Sergeant Brenda Parker
Supervisor Completing Form: (**Print Name**) — Emp #: [redacted] — Copy Provided to Employee by: — Emp #:

Captain Mathew Dendo
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO#

Hybrid Form SH-R-438P (Rev. 11/07)

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 0 - 0 8 1 1 1 - 0 3 3 1 - 0 9 1

Suspect Information

S 1

Last Name: Palacio | First Name: Carmelo | Middle Name: NMN

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: Hispanic | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 29 | Height: 5'10 | D.O.B. 06/12/81 | Weight: 160 | Armed? ☐

Booking #: 2447355 | Primary Charge Code: 10851 CVC | Secondary Charge Code: 243(b) PC | Criminal History [redacted]

EMT in attendance? ☐ YES ☒ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☒ Rec'd Treatment At: Centinela Hospital Medical Center | Coroner Case #: ______ | Mental History ☐

By Doctor: Stephanie Hatton PA-C | Address: 555 East Hardy Street, Inglewood, CA 90301 | Phone #: (310) 673-4660

Under Influence: ☐ YES ☒ NO Substance: ______ | Mental Illness ☐

Suspect Interview

Date: 08/20/10 Suspect refused interview | Time: 0614 | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☒

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ | Mental Illness: ☐

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ | Mental Illness ☐

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

☐ **Additional Suspects Involved**

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	Lim	Robert	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.	Street Address	City	Zip Code	Work Ph.	Home Ph.
None									

☐ Additional Witness

Supervisor's Report on Use of Force

10 - 08111 - 0331 - 091

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Palacio, Carmelo	S#1	[redacted]	E#1	PH,PK,RS,UC	NN	
Palacio, Carmelo	S#1	Romero,Salvador	E#2	RS,UC	NN	
[redacted]	E#1	Palacio, Carmelo	S#1	PH,PP,PK,RH	FR	FA
Romero,Salvador	E#2	Palacio, Carmelo	S#1	PH	FR	FA
[redacted]	E#3	Palacio, Carmelo	S#1	HB	NN	

INVESTIGATIVE SUMMARY
USE OF FORCE - PERSONAL WEAPONS
IAB CASE NUMBER FO2272432
URN NUMBER 910-08111-0331-091

On 08/19/10, at approximately 2030 hrs, Deputy [redacted] #[redacted] Unit [redacted] responded code 3 (authorized emergency) to a "stolen vehicle just occurred" (503J/O) call in Lawndale. As he approached 152nd Street on northbound Inglewood Avenue, he saw a Black Chevy Tahoe with chromed rims and tinted windows (license #[redacted], That matched the description of the vehicle described in the call. The stolen vehicle was stopped at a red light at 152nd Street.

The vehicle turned Southbound onto Inglewood Avenue from 152nd Street. Deputy [redacted] made a U-turn, and drove behind the vehicle. He advised assisting units that he was "code 9" behind the suspect vehicle, following it onto the northbound 405 freeway.

After traveling approximately ¼ of a mile on the 405 freeway, the suspect vehicle merged toward the right shoulder emergency access lane. While the suspect vehicle was merging to the right shoulder, Deputy [redacted] observed that its hood was completely open. Deputy [redacted] stopped behind the vehicle when it came to a complete stop in the emergency access lane. The driver of the vehicle, later identified as Suspect Palacios, exited the driver's side door and walked toward Deputy [redacted] patrol vehicle. Deputy [redacted] ordered Suspect Palacios to stay inside of the suspect vehicle via his patrol vehicle's PA system. The suspect did not comply. He continued walking toward Deputy [redacted] patrol vehicle and turned to his left when he reached the back of the suspect vehicle and walked between both vehicles. He then ran down the east embankment of the 405 freeway.

> **IAB NOTE: See exhibit "A" for photographs of the embankment that Suspect Palacio ran down while attempting to use as an escape route.**

Deputy [redacted] exited his patrol vehicle and saw Deputy Salvador Romero (#[redacted] pull behind him and exit his patrol vehicle. Deputy [redacted] pointed at Suspect Palacio, who was running down the embankment, and communicated to Deputy Romero that the suspect was running down the embankment. Both Deputies [redacted] and Romero chased the suspect down the embankment. Deputy [redacted] advised responding units that they were in foot pursuit. Deputy Paz, Deputy Romero's partner, exited the vehicle and ran northbound along the freeway and down onto Marine Avenue. Deputy Paz thought the suspect was going to jump over the fence, so he went to contain the area on the other side of the fence. Deputy Paz was not able to get to the back of the fence area because the area was blocked off. Because of this, Deputy Paz did not witness the incident.

When Deputy [redacted] reached the bottom of the embankment, Suspect Palacio was

attempting to climb over a chain link -barbed wire fence. Deputy [redacted] ordered Suspect Palacio to get down off the fence. The suspect did not comply. Deputy [redacted] holstered his gun and pulled the suspect off the chain link fence. Deputy [redacted] then ordered the suspect , who landed on his feet, to put his hands behind his back. Instead, the suspect put his hands on the back of his head and dropped down to both of his knees.

As Deputy [redacted] handcuffed the suspect, the suspect pushed himself up to a standing position, pushed his back against Deputy [redacted] chest, and pulled his arm out of Deputy [redacted] grasp. Deputy [redacted] attempted to regain control of Suspect Palacios' left hand while still holding his right cuffed hand. Suspect Palacio then attempted to hit Deputy [redacted] using his left elbow.

Deputy [redacted] pushed the suspect against the chain link fence and ordered him several times to get on the ground and stop fighting. The suspect did not comply. Deputy [redacted] struck the suspect four times on the left side of his face using his left fist in order to gain compliance. The suspect continued to fight, kicking Deputy [redacted] on his right thigh. Deputy [redacted] kicked the suspect on his inner thigh in an attempt to stop Suspect Palacios from kicking.

Within a few seconds, Deputy Romero reached the location of where Deputy Romero and Suspect Palacios were fighting. He struck the suspect three times on the right side of his face with his right fist and ordered him to stop fighting. The suspect continued to flail his arms and kept attempting to kick Deputy [redacted] Deputy Romero then struck the suspect twice on the left side of his face with his left fist. The deputies were able to gain control of Suspect Palacios' arms and handcuff him without further incident.

Deputy [redacted] # [redacted] responded to the scene regarding the emergent radio traffic of a deputy involved in a fight. When he arrived, Suspect Palacios had already been handcuffed and was being escorted to a patrol vehicle. Due to the fact that Suspect Palacios had just been involved in a physical altercation with deputy personnel, he placed his hobble restraint around Suspect Palacios' ankles to prevent any further assault on deputies and to prevent him from kicking out the windows of the patrol vehicle. Suspect Palacios was not resistive when Deputy [redacted] placed the hobble restraint around his ankles. No force was used by Deputy [redacted]

Deputy Lim also responded to the location regarding a deputy involved in a fight.

Suspect Palacios was transported to Centinela Hospital Medical Center by Deputy Lim # [redacted] It was determined that Suspect Palacios sustained a hairline fracture of his Maxilla bone (upper jaw). He was treated by Stephanie Hatton PA-C, and given an "Okay" to book. He was released from Centinela Hospital Medical Center on 08/20/10 and transported to South Los Angeles Station.

IAB NOTE: See exhibit "B" for photographs of Suspect Palacios' injuries.

INVOLVED PERSONNEL

[redacted] Deputy Sheriff, #[redacted]

Work History

Date of Employment: [redacted]
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]

ROMERO, Salvador, Deputy Sheriff, #[redacted]
Field Operations Region II
South Los Angeles Station

Work History

Date of Employment: 05/12/1997
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECTS

PALACIO, Carmelo, MH/29, DOB: 06/12/81, Booking #2447355
[redacted]

SWORN WITNESSES

NONE

CIVILIAN WITNESSES

NONE

INJURIES

Suspect Palacio sustained a Hairline fracture to the maxilla bone and nasal bone after he was taken down to the ground and punched approximately four times on each side of his face. Suspect Palacio was treated and given an "Okay" to book. He was released from Centinela Hospital Medical Center by Stephanie Hatton PA-C on 08/20/10 and transported to South Los Angeles Station.

PHYSICAL EVIDENCE

The suspect vehicle was located and identified as the vehicle that was described in the stolen vehicle call. The vehicle was recovered by Deputy Jones #[redacted]

INVESTIGATOR OBSERVATIONS

IAB Investigators inspected and photographed the scene of the incident, reviewed radio transmissions, and conducted interviews of the involved deputies. Because of the remote area where the incident occurred, no witnesses were able to be located.

Radio transmissions revealed the following: Deputy [redacted] Unit [redacted] and Deputy Veliz, Unit 35, were authorized to roll "code 3" (Emergency Lights and Sirens) to the 503 JO (stolen vehicle-just occurred) call.

Deputy [redacted] located the suspect vehicle and communicated emergency radio traffic (10-33) that he was "code 9" (surveillance mode) behind the suspect vehicle. When Deputy [redacted] communicated via radio that the suspect was running down the Freeway embankment, Deputy Romero communicated via radio that he was "97" (had arrived) at the scene. Deputy [redacted] communicated via radio that they were in foot pursuit, and Aero advised that deputies were running on the westside of the Freeway, down the embankment.

IAB Note: See Exhibit "C" for compact disk containing radio traffic of the initial 503 JO call, emergency radio traffic, and Aero Bureau radio transmissions.

WEAPONS USED BY DEPUTY PERSONNEL

During their altercation with Suspect Palacio, Deputies [redacted] and Romero used personal weapons. Deputy [redacted] used his hand and foot, and Deputy Romero used his hands. Both deputies were concerned about pepper spray contaminating the immediate area in which the struggle occurred, making them susceptible. Therefore, they chose not to deploy pepper spray. Each deputy said the incident occurred so quick that they did not have the time to get the tazers, which were in their patrol vehicles.

WEAPONS USED BY THE SUSPECTS

Suspect Palacio was uncooperative and resistive. He used his hands and feet as he struggled and fought with the deputies.

PROPERTY DAMAGE

None.

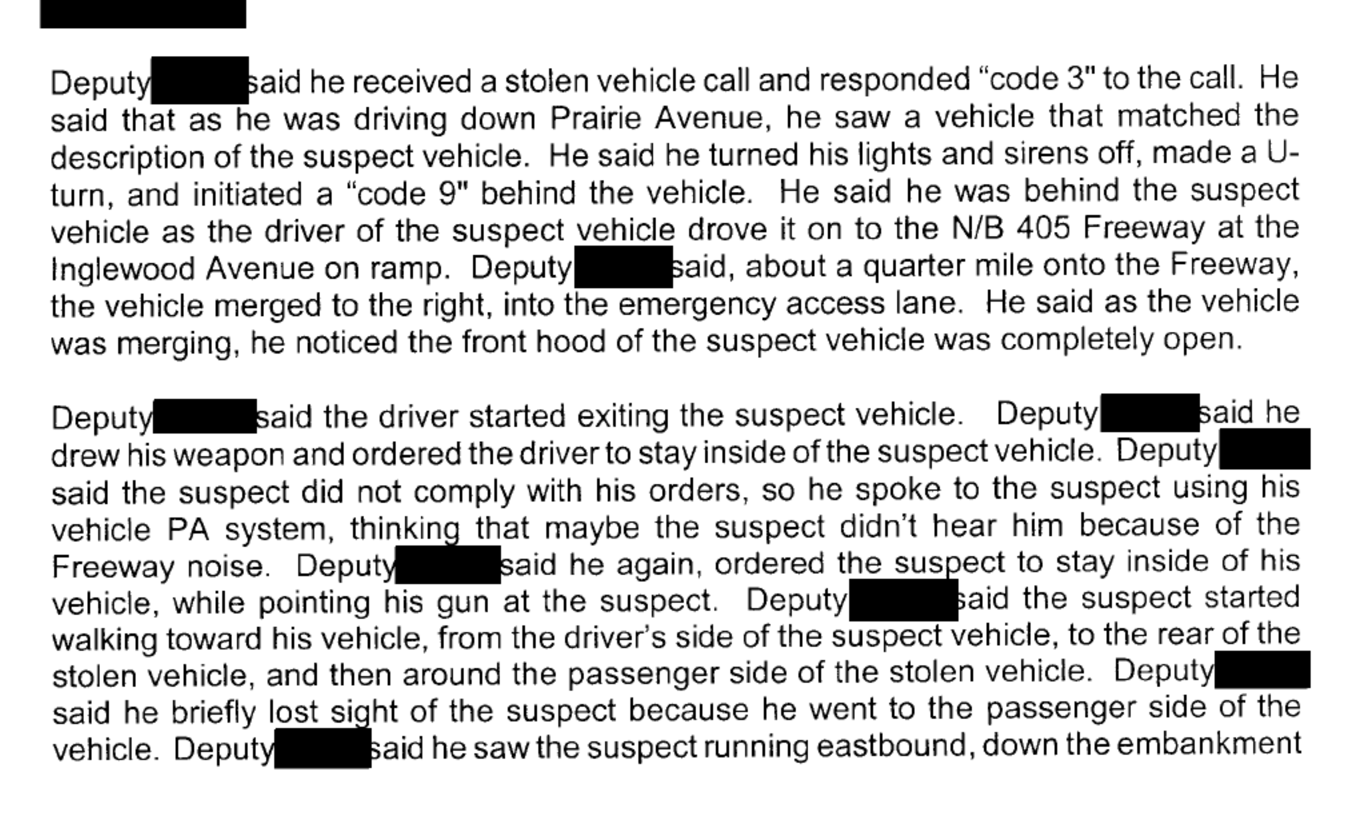
CRIMINAL INVESTIGATOR/CHARGES FILED

South Los Angeles Station Detective Steve Lespron filed one count of 215 (a) P.C., Carjacking, one count of 10851 (a) V.C., Unlawful Driving or Taking of a Vehicle, one count of 243(b), Battery Upon a Peace Officer, and one count of 148(a)(1), Resist, Obstruct, Delay of Peace Officer or EMT on Suspect Palacios under case number YA079079044

LIGHTING AND WEATHER CONDITIONS

The incident occurred during dusk hours. The weather condition was clear and warm.

INVOLVED EMPLOYEE STATEMENTS



[redacted]

Deputy [redacted] said he received a stolen vehicle call and responded "code 3" to the call. He said that as he was driving down Prairie Avenue, he saw a vehicle that matched the description of the suspect vehicle. He said he turned his lights and sirens off, made a U-turn, and initiated a "code 9" behind the vehicle. He said he was behind the suspect vehicle as the driver of the suspect vehicle drove it on to the N/B 405 Freeway at the Inglewood Avenue on ramp. Deputy [redacted] said, about a quarter mile onto the Freeway, the vehicle merged to the right, into the emergency access lane. He said as the vehicle was merging, he noticed the front hood of the suspect vehicle was completely open.

Deputy [redacted] said the driver started exiting the suspect vehicle. Deputy [redacted] said he drew his weapon and ordered the driver to stay inside of the suspect vehicle. Deputy [redacted] said the suspect did not comply with his orders, so he spoke to the suspect using his vehicle PA system, thinking that maybe the suspect didn't hear him because of the Freeway noise. Deputy [redacted] said he again, ordered the suspect to stay inside of his vehicle, while pointing his gun at the suspect. Deputy [redacted] said the suspect started walking toward his vehicle, from the driver's side of the suspect vehicle, to the rear of the stolen vehicle, and then around the passenger side of the stolen vehicle. Deputy [redacted] said he briefly lost sight of the suspect because he went to the passenger side of the vehicle. Deputy [redacted] said he saw the suspect running eastbound, down the embankment

on the west side of the 405 Freeway.

Deputy [redacted] said that as the suspect ran down the embankment, he noticed a patrol unit parked behind him. He said he looked back and saw Deputy Romero exiting his patrol vehicle. Deputy [redacted] said he pointed his finger in the direction of the suspect and told Deputy Romero that the suspect was running down the embankment. Deputy [redacted] said he then initiated a foot pursuit and broadcast it on his hand held radio while running down the embankment. He said when he reached the suspect, the suspect was trying to climb over a chain linked barbed wire fence. Deputy [redacted] said he ordered the suspect at gun-point to get off of the fence. He said the suspect did not comply. Deputy [redacted] said he holstered his weapon and pulled the suspect down off the fence. He said the suspect landed on the ground in a standing position, facing the fence. He said he told the suspect to put his hands behind his back. Deputy [redacted] said instead of doing what he was told, the suspect knelt on his knees and put his hands behind his head.

Deputy [redacted] said he handcuffed the suspect's right hand, and at that point, the suspect pushed himself back against his ([redacted] body and stood on his feet. He said the suspect pulled his left hand away from his grasp. Deputy [redacted] said he attempted to grab the suspect's left hand while he was still holding on to the suspect's handcuffed right hand. Deputy [redacted] said the suspect attempted to elbow him using his left elbow. He said he pushed the suspect against the chain linked fence as the suspect was attempting to free himself from his grasp.

IAB NOTE: See exhibit "D," photograph of the barb wire- chain linked fence Suspect Palacios attempted to jump in order to escape, and the portion of the fence that Deputy [redacted] pushed the subject into to prevent him from escaping.

Deputy [redacted] said he ordered the suspect numerous times to get on the ground and stop fighting. He said the suspect did not comply. Deputy [redacted] said, fearing the suspect would attempt to strike him again, he struck Suspect Palacios four times on the left side of his face, using his left fist. He said Deputy Romero was positioned to the left of him and Deputy Romero punched the suspect twice, in the right side of his face using his right fist.

He said he grabbed Suspect Palacios by the arms, bent him at the waste and forced him to the ground. Deputy [redacted] said that as he forced Suspect Palacios to the ground, the suspect kicked his right foot back at him and struck him on his right thigh, above his knee. He said he again ordered the suspect to stop fighting. He said the suspect attempted to kick him again, using the same foot, but failed to do so. Deputy [redacted] said he kicked the suspect using his right foot, inside the suspect's inner right leg in order to stop him from kicking backwards, trying to assault him. Deputy [redacted] said that with the assistance of Deputy Romero, they were able to handcuff Suspect Palacios and take him into custody. Deputy [redacted] said they then escorted the suspect up the embankment and into his patrol

car without further incident.

ROMERO, Salvador

Deputy Romero said he and his partner responded to the 405 Freeway, a quarter mile north of the Inglewood on ramp to assist unit 35T1, Deputy [redacted] who was code 9 behind a stolen vehicle. Deputy Romero said as they drove on the 405 Freeway, they saw Deputy [redacted] patrol vehicle stopped in the emergency access lane, directly behind the stolen vehicle. He said that as he exited his vehicle, he saw Deputy [redacted] look directly back at him and point down the embankment.

Deputy Romero said he looked in the direction that Deputy [redacted] was pointing, and saw the suspect running eastbound, down the bushy embankment. Deputy Romero said the embankment was steep and when Deputy [redacted] communicated with him, he was approximately 20'-25' away from him. He said Deputy [redacted] initiated a foot pursuit. Deputy Romero said he followed Deputy [redacted] and the suspect down the embankment. He said his partner, Deputy Paz, exited the vehicle and ran northbound along the freeway and down onto Marine Avenue in order to capture the suspect if he jumped the fence.

Deputy Romero said he saw Suspect Palacios attempt to climb over a property fence. He said he heard Deputy [redacted] order him to get down off the fence. He said Suspect Palacios did not comply, and continued to climb the fence. He said he saw Deputy [redacted] holster his gun, and pull Suspect Palacios off the fence. He said he does not remember if Deputy [redacted] told the suspect to put his hands on top of his head, but he knows that the suspect's hands were either on the top of his head or maybe on the back of his head. He said Deputy [redacted] handcuffed the suspect's right hand. He said the suspect flailed with his arms and started struggling with Deputy [redacted]

Deputy Romero said the suspect looked back at Deputy [redacted] to see where his face was and then with his left elbow, threw an elbow strike at him. He said Deputy [redacted] moved out of the way and grabbed the suspect, and they were struggling up against the fence. Deputy Romero said Deputy [redacted] hit the suspect four times and then bent him over and started taking him down. He said they separated a little and it looked like the suspect was falling, but he reached back and kicked Deputy [redacted] with his right foot.

Deputy Romero said he made it over to where Deputy [redacted] and Suspect Palacios were and noticed that the suspect was still trying to kick Deputy [redacted] Deputy Romero said the suspect was trying to push himself up off the ground, and then as he was up, he was able to get leverage between, to keep kicking and thrashing. Deputy Romero said he struck Suspect Palacios two times on the right side of his face with his right hand. He said the suspect continued to struggle and they kept telling him to stop fighting, but he would not stop fighting. He said the suspect kept kicking and tried to pry himself up. Deputy Romero said he struck the suspect on the left side of his face with his left hand approximately two times, and they were finally able to gain control and handcuffed the suspect. Deputy

Romero said that he and Deputy [redacted] escorted Suspect Palacio up the embankment as he walked reluctantly, with no further incident.

SUSPECT STATEMENTS

Suspect Palacio refused to talk with Internal Affairs Investigators regarding the incident. He also told Field Sergeant Mike Strickland on video-tape that he did not want to talk to anyone without his attorney present.

IAB Note: See exhibit " E," CD containing audio of Suspect Palacio refusing to speak with Sergeant Strickland of South Los Angeles Station about the incident.